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I hereby certify that, on the date indicated above, this paper or fee was deposited with the U.S. Postal Service & that it was addressed for delivery to the Assistant Commissioner for Patents, Washington, DC 20231 by "Express Mail Post Office to Addressee" service.

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PATENT TRADEMARK OFFICE

Docket No.: 6727/1J087US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Gershon KANDLER

Serial No: To Be Assigned

Filed: Concurrently Herewith

For: **WIRELESS PROVISION OF AUDIO CONTENT**

**ASSOCIATE POWER OF ATTORNEY**

Hon. Commissioner of  
Patents and Trademarks  
Washington, DC 20231

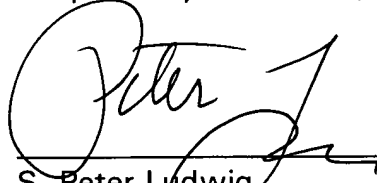
Sir:

The undersigned attorney of record in the above-identified application hereby appoints: Manny Schechter, Esq. (Reg. No.31,722) located at c/o International Business Machines Corporation, New Orchard Road, Armonk, New York, N.Y. 10504, U.S.A., as associate attorney with full power to prosecute said application, and to transact all business in the United States Patent and Trademark Office in connection therewith.

Please forward all communications to:

S. Peter Ludwig  
Darby & Darby P.C.  
805 Third Avenue  
New York, New York 10022

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Peter J.", written over a horizontal line.

S. Peter Ludwig  
Reg. No. 25,351  
Attorney for Applicant(s)

Date: April 11, 2001

DARBY & DARBY P.C.  
805 Third Avenue, 27th Fl.  
New York, NY 10022  
212-527-7700

FOI b7D - 1592E860

Docket No.: \_\_\_\_\_

**DECLARATION  
AND POWER OF ATTORNEY  
Original Application**

As a below named inventor, I declare that the information given herein is true, that I believe that I am the original, first and sole inventor if only one name is listed at 1 below, or a joint inventor if plural inventors are named below, of the invention entitled:

**WIRELESS PROVISION OF AUDIO CONTENT**

which is described and claimed in:

☒ the attached specification or ☐ the specification in application  
Serial No. \_\_\_\_\_  
Filed \_\_\_\_\_

that I do not know and do not believe that the same was ever known or used in the United States of America before my or our invention thereof or patented or described in any printed publication in any country before my or our invention thereof, or more than one year prior to this application, or in public use or on sale in the United States of America more than one year prior to this application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to this application, that I acknowledge my duty to disclose information of which I am aware which is material to patentability in accordance with 37 CFR §1.56. I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I hereby claim the priority benefits under 35 U.S.C. §119 of any application(s) for patent or inventor's certificate listed below. All foreign applications for patent or inventor's certificate on this invention filed by me or my legal representatives or assigns prior to the application(s) of which priority is claimed are also identified below.

**PRIOR APPLICATION(S), IF ANY, OF WHICH PRIORITY IS CLAIMED**

<u>COUNTRY</u>	<u>APPLICATION NO.</u>	<u>DATE OF FILING</u>
US	60/209,019	June 1, 2000

ALL FOREIGN APPLICATIONS, IF ANY, FILED PRIOR  
TO THE APPLICATION(S) OF WHICH PRIORITY IS CLAIMED

COUNTRY                      APPLICATION NO.      DATE OF FILING

**POWER OF ATTORNEY:**

As a named inventor, I hereby appoint the following attorney(s) and/or agents(s) to prosecute this application and transact all business in the Patent and Trademark office connected therewith: Gordon D. Coplein #19,165, Michael J. Sweedler #19,937, S. Peter Ludwig #25,351, Paul Fields #20,298, Marc S. Gross #19,614, Joseph B. Lerch #26,936, Melvin C. Garner #26,272, Ethan Horwitz #27,646, Adda C. Gogoris #29,714, Bert J. Lewen #19,407, Henry Sternberg #22,408, Peter C. Schechter #31,662, Robert Schaffer #31,194, Robert C. Sullivan, Jr. #30,499, Ira J. Levy #35,587, Joseph R. Robinson #33,448, Scott G. Lindvall #40,325, Paul F. Fehlner, Ph.D. #35,135, David Leason #36,195

all of the firm of DARBY & DARBY P.C., 805 Third Avenue, New York, NY 10022

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FULL NAME AND RESIDENCE OF INVENTOR 1

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COUNTRY: ISRAEL

ZIP CODE: 76219

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

SIGNATURE OF INVENTOR 1:

  
Gershon KANDLER

DATED: 1/4/2001